PATENT COOPERATION TREATY

	PATENT COOPER	LATION TRE	ATY	REC'D 2 2 JUN 2005	
From the INTERNATIONAL SEARCHING AUT	HORITY			REC'D 2 2 JOH 200	
To: KRISTIN FROST 800 SUPERIOR AVENUE	·		PCT	WIPO	
SUITE 1400 CLEVELAND, OH 44114-2688		WR INTERNATIO	ITTEN OPINION O ONAL SEARCHING	F THE 3 AUTHORITY	
			(PCT Rule 43bis.1) 	
		Date of mailing (day/month/year)	20 JUN 2	005	
Applicant' s or agent's file reference		FOR FURTHER ACTION See paragraph 2 below			
2721104139 International application No.	International filing date (day/month/year)	Priority date (day/mon	th/year)	
D CTD (\$ 100.262)	24 January 2005 (24.01.2	2005)	23 January 2004 (23.0	1.2004)	
International Patent Classification (IPC	or both national classificati	ion and IPC			
IPC(7): CO7H 1/06; C13D 3/16 and I Applicant	JS Cl.: 536/127				
OHIO UNIVERSITY					
1. This opinion contains indications	relating to the following item	is:			
Box No. I Basis of	the opinion		•		
Box No. II Priority	Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability				
		gard to novelty, in	zentive step and industria	ii approxomiy	
Box No. IV Lack of	Lack of unity of invention Reasoned statement under Rule 43bis. 1(a)(i) with regard to novelty, inventive step or industrial				
Box No. V Reasone applicab	d statement under Rule 43bis ility; citations and explanatio	1.1(a)(i) with regard ons supporting such	statement	sp or moustime	
Box No. VI Certain	documents cited				
Box No. VII Certain	defects in the international ap	plication			
Box No. VIII Certain	observations on the internation	onal application			
2. FURTHER ACTION If a demand for international pr International Preliminary Exam Authority other than this one to that written opinions of this Inter	ining Authority (I EA) o	IPEA has notified	the International Bureau	written opinion of the applicant chooses an under Rule 66.1bis(b)	
If this opinion is, as provided al IPEA a written reply together, mailing of Form PCT/ISA/220 of For further options, see Form P	bove, considered to be a wri where appropriate, with ar or before the expiration of 22	itten opinion of the	IPEA, the applicant is i	nvited to submit to the onths from the date of expires later.	
3. For further details, see notes to	Form PCT/ISA/220.			7.1-1	
Name and mailing address of the ISA	V US	Authorized off	700	16 vacas	
Mail Stop PCT, Attn: ISA/US Commissioner for Patents		James O. Wils	SOII		
P.O. Box 1450	460	Telephone No.	703-308-1235		

Alexandria, Virginia 22313-1450
Facsimile No. (703) 305-3230
Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.	
PCT/US05/02262	

Box No	. I Basis of this opinion
1. With r	regard to the language, this opinion has been established on the basis of the international application in the language in which
it was	filed, unless otherwise indicated under this item. This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With	record to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the
claime	invention, this opinion has been established on the basis of:
a.	type of material
	a sequence listing
	table(s) related to the sequence listing
b.	format of material
	in written format
	in computer readable form
c.	time of filing/furnishing
	contained in international application as filed.
	filed together with the international application in computer readable form.
	furnished subsequently to this Authority for the purposes of search.
3. 🗌	In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Addi	tional comments:
	·
I	

International application No. PCT/US05/02262

Claims 1 Claims 1 Claims 1 Claims 1 (2)-(3), because beta-penta-Cher forms.	NONE 1-29 NONE NONE ase the prior and Degalloyl-D-gli	rt does not tea ucose from a ial applicability	ch or fairly s mixture of bo	uggest a me	
Claims 1 Claims 1 Claims 1 Claims 1 Claims 1 (2)-(3), because the beta-penta-Cher forms.	NONE 1-29 NONE NONE ase the prior and Degalloyl-D-gli	rt does not tea lucose from a	ch or fairly s mixture of bo	uggest a me	NO YES NO YES NO thod for a and beta
Claims 1 Claims 1 Claims 1 Claims 1 (2)-(3), because beta-penta-Cher forms.	NONE 1-29 NONE ase the prior and Degalloyl-D-gl	rt does not tea lucose from a	ch or fairly s mixture of bo	uggest a me	YES NO YES NO thod for a and beta
Claims 1 Claims 1 Claims 1 (2)-(3), becau	NONE NONE Ise the prior a	rt does not tea ucose from a	ch or fairly somixture of bo	uggest a me	YES NO
Claims 1 Claims 1 Claims 1 (2)-(3), becau	NONE NONE Ise the prior a	rt does not tea ucose from a	ch or fairly somixture of bo	uggest a me	YES NO
Claims 1 Claims 1 (2)-(3), becau	NONE Ise the prior a D-galloyl-D-gl	rt does not tea lucose from a	ch or fairly s mixture of bo	uggest a me	NO No thod for and beta
Claims 1 (2)-(3), becau	NONE use the prior a D-galloyl-D-gl	rt does not tea lucose from a	ch or fairly s mixture of bo	uggest a me	NO
Claims 1 (2)-(3), becau	NONE use the prior a D-galloyl-D-gl	rt does not tea lucose from a	ch or fairly s mixture of bo	uggest a me	thod for
(2)-(3), becau r beta-penta-C her forms.	se the prior a	iucose nom a			
,					
					•

International application No.

PCT/US05/02262

		t t t t t t t t t t t t t t t t t t t
D N X/III	T Contain	observations on the international application
Box No. VII	T Certam	ODSCI VENIOLE OF

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claims 5, 8 and 16 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 5, 8 and 16 are indefinite for the following reason(s):

Claims 5 and 16 recite the terms elevated temperature. It is not clear what temperature is considered elevated temperature. Specifying a particular temperature or a range would make the claim clear.

Claim 8 recites is allowed kept at a temperature lower than room temperature. The term allowed should be deleted. Also since room temperature can vary a specific temperature or a range would clarify the claim.

PATENT COOPERATION TREATY

PATENT COOL	PERATION TREA	TY	1 1 1 1 2 1 1 1 2 1	ากร
From the			REC'D 2 2 JUN 2	
INTERNATIONAL SEARCHING AUTHORITY To: KRISTIN FROST		PCT	WIPO	PCT
800 SUPERIOR AVENUE SUITE 1400 CLEVELAND, OH 44114-2688	WRIT INTERNATIO	TTEN OPINION C	OF THE G AUTHORITY	
		(PCT Rule 43bis.1)	
	Date of mailing (day/month/year)	20 JUN 2	005	
Applicant' s or agent's file reference	FOR FURTHER A	CTION ee paragraph 2 below		
2721104139 International application No. International filing of	late (day/month/year)	Priority date (day/mor	tth/year)	,
24 January 2005 (24		23 January 2004 (23.0	01.2004)	
International Patent Classification (IPC) or both national class IPC(7): CO7H 1/06; C13D 3/16 and US Cl.: 536/127	mication and 2	<u> </u>		
Applicant			·	
OHIO UNIVERSITY				
1. This opinion contains indications relating to the following	; items:			
Box No. I Basis of the opinion				
Box No. II Priority Box No. III Non-establishment of opinion with	to a salar saudty inve	ntive step and industria	al applicability	
	im regard to hoverty, mve.	mive stop and manner		•
Box No. IV Lack of unity of invention Box No. V Reasoned statement under Rule applicability; citations and expla	43bis.1(a)(i) with regard t mations supporting such st	o novelty, inventive stratement	ep or industrial	
Box No. VI Certain documents cited				
Box No. VII Certain defects in the internation				
Box No. VIII Certain observations on the inte	rnational application			
2. FURTHER ACTION If a demand for international preliminary examination is International Preliminary Examining Authority ("IPEA Authority other than this one to be the IPEA and the chat written opinions of this International Searching Authority Authority ("IPEA and the chat written opinions of this International Searching Authority ("IPEA and the chat written opinions of this International Searching Authority ("IPEA and the chat written opinions of this International Searching Authority ("IPEA and the chat are charged in the chat are charged in the charg	osen IPEA has notified th	e International Bureau	written opinion of the applicant chooses an under Rule 66.1bis(b)	
If this opinion is, as provided above, considered to be IPEA a written reply together, where appropriate, wi mailing of Form PCT/ISA/220 or before the expiration For further options, see Form PCT/ISA/220.	a written opinion of the II ith amendments, before t of 22 months from the pri	PEA, the applicant is the expiration of 3 meteority date, whichever	invited to submit to the onths from the date of expires later.	
3. For further details, see notes to Form PCT/ISA/220.			1-0	1
Name and mailing address of the ISA/ US Mail Stop PCT, Atm: ISA/US Commissioner for Patents	Authorized office James O. Wilson	1100	Water	
P.O. Box 1450	Telephone No.	703-308-1235		1

Alexandria, Virginia 22313-1450
Facsimile No. (703) 305-3230
Form PCT/ISA/237 (cover sheet) (January 2004)

International application No.
PCT/US05/02262

Box No. I Basis of this opinion
 With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
a. type of material
a sequence listing
table(s) related to the sequence listing
b. format of material
in written format
in computer readable form
c. time of filing/furnishing
contained in international application as filed.
filed together with the international application in computer readable form.
furnished subsequently to this Authority for the purposes of search.
In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

International application No. PCT/US05/02262

ox No. V Reasoned statement under Rule applicability; citations and expla	43 bis.1(a)(i) nations supp	orting such statement	tentive sich of manarim
Statement			
Novelty (N)	Claims	1-29	
1.67239 (0.7)	Claims	NONE	NO
	GI. I	1-29	YES
Inventive step (IS)		NONE	
	V.22		•
Industrial applicability (IA)	Claims		
	Claims	NONE	NO
Citations and explanations: aims1-29 meet the criteria set out in PCT Article paration of either alpha-penta-O-galloyl-D-glucos	: 33(2)-(3), beca	nuse the prior art does not teach	or fairly suggest a method for ixture of both the alpha and beta
paration of either alpha-penta-O-gailoyi-D-glucos orms or a method for preparing a single crystal of	either forms.	-O-gailoy? D-g. accord 11 cm = ma	•
laims 1-29 meet the criteria set out in PCT Articl		is meet industrial applicability	pecause the subject matter claimed
in be made or used in pharmaceutical industry.			
	•		
		•	
	·		
			·
	·		

International application No.

PCT/US05/02262

Box No. VIII	Certain observations on the international applicati	OII
DUX NU. VIII	Certain observation	

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claims 5, 8 and 16 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 5, 8 and 16 are indefinite for the following reason(s):

Claims 5 and 16 recite the terms elevated temperature. It is not clear what temperature is considered elevated temperature. Specifying a particular temperature or a range would make the claim clear.

Claim 8 recites is allowed kept at a temperature lower than room temperature. The term allowed should be deleted. Also since room temperature can vary a specific temperature or a range would clarify the claim.

Form PCT/ISA/237 (Box No. VIII) (January 2004)